

## Message Text

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PAGE 01 NAIROB 05542 041441Z  
ACTION EB-07

INFO OCT-01 AF-10 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00  
DODE-00 DOTE-00 INR-07 NSAE-00 EPG-02 FAA-00 L-03  
IO-13 PA-01 USIA-06 PRS-01 SP-02 (ISO) W  
-----050111Z 006126/46

R 041345Z MAY 77

FM AMEMBASSY NAIROBI  
TO SECSTATE WASHDC 7936  
INFO AMEMBASSY DAR ES SALAAM  
AMEMBASSY ADDIS ABABA  
AMEMBASSY KHARTOUM  
AMEMBASSY LONDON  
AMEMBASSY MONROVIA  
AMCONSUL MONTREAL

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MONROVIA PASS FAA

E.O. 11652: N/A  
TAGS: EAIR, KE  
SUBJECT: CIVIL AVIATION: DEVOLUTION OF E.A. COMMUNITY  
AUTHORITY IN AVIATION

REF: (A) NAIROBI 5036 (NOTAL), (B) DAR ES SALAAM 1603 (NOTAL),  
(C) NAIROBI A-005 DTD 11 JAN 77 (NOTAL)

1. EMBOFF DISCUSSED IN GREATER DETAIL DIVISION OF CIVIL  
AVIATION RESPONSIBILITIES BETWEEN GOK AND EAST AFRICAN  
DIRECTORATE OF CIVIL AVIATION WITH E. N. GITONGA, UNDER-  
SECRETARY, MINISTRY OF POWER AND COMMUNICATIONS. AS REPORTED  
IN REFTEL A, GOK ANNOUNCED THAT IT WOULD BE ASSUMING CONTROL  
OF MAY DIRECTORATE SERVICES WITHIN KENYAN BORDERS. INITIAL  
STATEMENT HAS RECEIVED NO ELABORATION FROM MINISTRY OF POWER  
AND COMMUNICATIONS AND STILL LACKS LEGISLATIVE IMPRIMATUR,  
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PAGE 02 NAIROB 05542 041441Z

BUT IT APPEARS THAT KENYA IS UNILATERALLY ADMINISTERING  
DIRECTORATE REGULATIONS ONLY AS THEY BEAR ON SENSITIVE AVIATION  
POLICY ISSUES OR AFFECT COMMERCIAL VIABILITY OF KENYA  
AIRWAYS.

2. AS EXPLAINED IN REFAIR C, KENYA AND UGANDA HAD ALREADY BEGUN  
A YEAR AGO TO ISSUE INDIVIDUAL OVERFLIGHT AND LANDING

CLEARANCES (FOR NON-COMMERCIAL OPERATIONS) THROUGH NATIONAL DIRECTORS OF CIVIL AVIATION. ONE RECENT CHANGE WHICH SHOULD BE NOTED CONCERNS LICENSING OF SCHEDULED AND NON-SCHEDULED COMMERCIAL FLIGHTS INTO KENYA. MINISTRY OF POWER AND COMMUNICATIONS (P.O. BOX 30582, TEL 27553) HAS ASSUMED LICENSING AUTHORITY FROM CIVIL AVIATION BOARD, ARUSHA, TANZANIA. THIS ACTION WAS DEEMED NECESSARY IN ORDER TO REGULATE COMPETITION TO KENYA AIRWAYS' PASSENGER AND CARGO SERVICES.

3. GITONGA SAID GOK CONTINUES TO RELY ON E.A. DIRECTORATE FOR SUCH SERVICES AS MAINTENANCE OF AIRPORT NAVIGATIONAL EQUIPMENT, STAFFING ENGINEERING DEPARTMENT AT KENYAN AIRPORTS, ISSUANCE OF AIRWORTHINESS CERTIFICATES, AND AIRCRAFT ACCIDENT INVESTIGATIONS. AIR TRAFFIC CONTROL ALSO SURVIVES AS REGIONAL SERVICE SINCE IT IS ACTUALLY SELF-FINANCED THROUGH USER FEES, AND NOT DEPENDENT ON COMMUNITY BUDGET.

4. SITUATION WITH METEOROLOGY DEPARTMENT IS AMBIGUOUS. GITONGA SAID THIS EAST AFRICAN BODY IS STILL UNDER COMMUNITY DIRECTION AND IS SAFELY FUNDED THROUGH FY 77. SHOULD COMMUNITY FINANCIAL SUPPORT FAIL AFTER JUNE 30, GOK WOULD ASSUME CONTROL IN ORDER TO RETAIN ESSENTIAL RESEARCH PROGRAMS AND INFORMATION SERVICES TO AVIATION INDUSTRY.

5. ICAO REPRESENTATION IS SHARED ON ROTATING BASIS BY THREE EAC COUNTRIES, WITH KENYAN CURRENTLY SITTING ON ICAO COUNCIL. HE IS SCHEDULED TO BE REPLACED BY A TANZANIAN IN OCTOBER; HOWEVER IF EAC DISINTEGRATES LEGAL QUESTION PRESUMABLY ARISES AS TO WHO INHERITS THIS POSITION. GITONGA INTIMATED THAT LIMITED OFFICIAL USE

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PAGE 03 NAIROB 05542 041441Z

KENYAN REPRESENTATIVE MAY JUST STAY ON IN ABSENCE OF REPLACEMENT.

6. CRITICAL DATE OF FURTHER SPIN-OFF OF AVIATION RESPONSIBILITIES WILL BE JUNE 30, WHEN COMMUNITY'S FY 77 BUDGET TERMINATES. GITONGA IS PESSIMISTIC ABOUT WILLINGNESS OF THREE STATES TO APPROVE FY 78 ESTIMATES PREPARED BY ARUSHA STAFFS AND COMMIT GOVERNMENT FUNDING. CENTRAL BANK OF KENYA NOW PROVIDES E.A. DIRECTORATE WITH FOREIGN EXCHANGE TO COVER EXPENDITURES SOLELY ON FACILITIES WITHIN KENYA.

7. ABSENCE OF PUBLISHED GUIDELINES AND UNFAMILIARITY OF GOK OFFICIALS, THEMSELVES, WITH CHANGING AVIATION PROCEDURES WILL INEVITABLY LEAD TO ALFONSE AND GASTON ROUTINE BETWEEN MINISTRY OF POWER AND COMMUNICATIONS AND E.A. DIRECTORATE OF CIVIL AVIATION. PRIVATE AND COMMERCIAL OPERATORS PLANNING EAST AFRICAN ITINERARIES SHOULD BE PREPARED FOR SOME CONFUSION AND ARE WELL ADVISED TO AWAIT CONFIRMATION OF CLEARANCES BEFORE ARRIVAL.

DECON 5/4/78.  
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## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
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**Disposition Approved on Date:**  
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**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
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**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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